



IAP13 Rec'd PCT/PTO 27 FEB 2007

PCT

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/578,409
Filing Date	5 MAY 2006
First Named Inventor	Thomas Dennert
Art Unit	Unknown/Conf. No.: 1664
Examiner Name	Unknown
Attorney Docket Number	0740-79

## ENCLOSURES

1. Fee Transmittal (1 page);
2. Copy of Notification of Missing Requirements (2 pages);
3. Response to Notification of Missing Requirements (2 pages);
4. Declaration {executed} (2 pages);
5. Power of Attorney {executed} (1 page);
6. Statement Under 37 CFR 3.73(b) (1 page) {w/copy of Assignment (2 pages)};
7. Preliminary Amendment (14 pages);
8. Substitute Specification (15 pages);
9. Redlined Specification (16 pages);
10. Replacement Drawing Sheets (2 sheets);
11. Verified Translation of Specification/Article 19 Claims and Drawing (25 pages);
12. Check for \$130;
13. Return Postcard.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	THE MAXHAM FIRM Lawrence A. Maxham, Reg. No. 24,483		
Signature			
Date	22 February 2007		

## CERTIFICATE OF MAILING/TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office (USPTO) or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the below listed date.

Typed or printed name	Lawrence A. Maxham, Reg. No. 24,483		
Signature		Date	22 February 2007

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL**  
**For FY 2005**☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$)**130.00****Complete if Known**

Application Number	10/578,409
Filing Date	5 May 2006
First Named Inventor	Thomas Dennert
Examiner Name	
Art Unit	Unknown/Conf. No.: 1664
Attorney Docket No.	0740-79

**METHOD OF PAYMENT (check all that apply)**☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_☐ Deposit Account Deposit Account Number: 02-0460 Deposit Account Name: The Maxham Firm

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17☒ Credit any overpayments**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
- 20 or HP =	x	25	=			
HP = highest number of total claims paid for, if greater than 20						
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)			
- 3 or HP =	x	100	=			
HP = highest number of independent claims paid for, if greater than 3						

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	-	/ 50 =	(round up to a whole number) x	= -0-

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other: Late Oath or Declaration Surcharge.

\$130.00

130.00 OP

**SUBMITTED BY**

Signature	<i>Lawrence A. Maxham</i>	Registration No. (Attorney/Agent)	24,483	Telephone	858-587-7659
Name (Print Type)	Lawrence A. Maxham, Esq.	Date	22 February 2007		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED

DEC 29 2006



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

THE MAXHAM FIRM

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/578,409	Thomas DENNERT	074079

INTERNATIONAL APPLICATION NO.

PCT/EP04/12852

I.A. FILING DATE

11/10/2004

PRIORITY DATE

11/11/2003

616

THE MAXHAM FIRM  
 9330 SCRANTON ROAD, SUITE 350  
 SAN DIEGO, CA 92121

CONFIRMATION NO. 1664

371 FORMALITIES LETTER



\*OC000000021674724\*

Date Mailed: 12/27/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/05/2006
- Copy of the International Search Report filed on 05/05/2006
- Oath or Declaration filed on 05/05/2006
- Request for Immediate Examination filed on 05/05/2006
- U.S. Basic National Fees filed on 05/05/2006
- Priority Documents filed on 05/05/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. Note a processing fee will be required if submitted later than 30 months from the priority date.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130 Surcharge.**

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

FRANCINE YOUNG

Telephone: (703) 308-9140 EXT 215

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/578,409	PCT/EP04/12852	074079

"PATENTS"

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
	)	
Thomas Dennert et al.	)	
	)	Group Art Unit: Unknown
SERIAL NO.: 10/578,409	)	
	)	
FILED: 5 May 2006	)	Examiner: Unknown
	)	
FOR: METHOD FOR CONTROLLING THE	)	
DELIVERY OF MESSAGES IN A	)	Conf. Number: 1664
TELECOMMUNICATIONS NETWORK	)	
WHILE TAKING MULTI-DEVICE	)	
CONFIGURATIONS INTO SPECIAL	)	
CONSIDERATION	)	

Mail Stop Missing Parts  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**  
**UNDER 35 U.S.C. 371 IN THE UNITED STATES**  
**DESIGNATED/ELECTED OFFICE (DO/EO/US)**

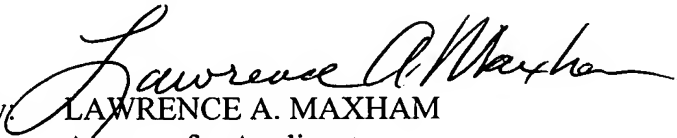
This document is submitted in response to the NOTIFICATION OF MISSING REQUIREMENTS, dated 27 December 2006.

Transmitted herewith is a Declaration for Patent Application, a Power of Attorney, a Statement Under 37 CFR 3.73(b) (including a copy of an assignment), all duly executed, together with the required fee. Also enclosed are a Preliminary Amendment, which includes a substitute specification, plus a verified translation of the application as filed and the Article 19 claim amendments as well as the two drawing figures, and a redlined version of the verified translation of the specification.

The Commissioner is hereby authorized to charge any fees that arise in connection with this filing which are not covered by the money enclosed, or credit any overpayment, to Deposit Account No. 02-0460.

Respectfully submitted,

Thomas Dennert et al.

By:   
LAWRENCE A. MAXHAM  
Attorney for Applicants  
Registration No. 24,483

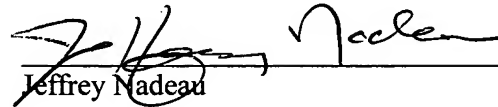
**THE MAXHAM FIRM**

ATTORNEYS AT LAW  
9330 SCRANTON ROAD, SUITE 350  
SAN DIEGO, CALIFORNIA 92121  
TELEPHONE: (858) 587-7659  
FACSIMILE: (858) 587-7658

## **VERIFICATION**

This is to certify that I, Jeffrey Nadeau, am proficient in both the German and English languages. I have translated the attached German language patent application titled: "METHOD FOR CONTROLLING THE DELIVERY OF MESSAGES IN A TELECOMMUNICATIONS NETWORK WHILE TAKING MULTI-DEVICE CONFIGURATIONS INTO SPECIAL CONSIDERATION" into English and attached hereto is an accurate English translation of that German document.

Date: 6-30-06

  
Jeffrey Nadeau